THE HONORABLE BENJAMIN H. SETTLE 1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 WESTERN DISTRICT OF WASHINGTON AT TACOMA 8 THE NARROWS CONDOMINIUM 9 ASSOCIATION, a Washington Non-Profit No. 3:24-cy-05184-BHS Corporation, 10 STIPULATED MOTION AND ORDER OF Plaintiff, 11 DISMISSAL WITH PREJUDICE v. 12 **CLERK'S ACTION REQUIRED** EAGLE WEST INSURANCE COMPANY, a 13 California Corporation; and DOE INSURANCE NOTE ON MOTION CALENDAR: **SEPTEMBER 10, 2024** COMPANIES 1-10, 14 15 Defendants. 16 I. STIPULATION 17 IT IS HEREBY STIPULATED AND AGREED by the undersigned attorneys for the 18 parties that, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure the above-19 referenced case should be DISMISSED with prejudice and without an award of costs or fees to 20 either party. 21 /// 22 /// 23 24 25 26 27 STEIN, SUDWEEKS & STEIN, PLLC

STIPULATED MOTION AND ORDER OF DISMISSAL WITH PREJUDICE - 1

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DATED this 10th day of September, 2024. 1 2 STEIN, SUDWEEKS & STEIN, PLLC 3 /s/Cortney Feniello Justin Sudweeks, WSBA No. 28755 4 Daniel Stein, WSBA No. 48739 Jerry H. Stein, WSBA No. 27721 5 Cortney Feniello, WSBA No. 57352 16400 Southcenter Parkway, Suite 410 6 Tukwila, Washington 98188 (206) 388-0660 7 justin@condodefects.com dstein@condodefects.com 8 jstein@condodefects.com cfeniello@condodefects.com 9 Attorneys for Plaintiff 10 **BULLIVANT HOUSER BAILEY (SEA)** 11 /s/Danielle McKenzie 12 Danielle McKenzie, WSBA No. 49715 Joseph D. Hampton, WSBA No. 15297 13 925 Fourth Ave, Ste 3800 14 Seattle, WA 98104 Email: danielle.mckenzie@bullivant.com 15 Email: joseph.hampton@bullivant.com Telephone: (206) 292-8930 16 Attorneys for Defendant Eagle West Insurance **Company** 17 18 19 20 21 22 23 24 25 26 27

II. ORDER 1 The Court having reviewed the foregoing stipulation of the parties, now, therefore, 2 HEREBY ORDERS, ADJUDGES, AND DECREES that the above-referenced case is 3 DISMISSED with prejudice and without an award of attorney fees or costs to either party. The 4 Clerk is directed to send copies of this Order to all counsel of record. 5 IT IS SO ORDERED. 6 DATED this 11th day of September, 2024. 7 8 9 10 United States District Judge 11 Presented by: 12 STEIN, SUDWEEKS & STEIN, PLLC 13 <u>/s/Cortney Feniel</u>lo Justin Sudweeks, WSBA No. 28755 Daniel Stein, WSBA No. 48739 Jerry H. Stein, WSBA No. 27721 Cortney Feniello, WSBA No. 57352 16 16400 Southcenter Parkway, Suite 410 Tukwila, Washington 98188 17 (206) 388-0660 justin@condodefects.com dstein@condodefects.com jstein@condodefects.com cfeniello@condodefects.com Attorneys for Plaintiff 20 **BULLIVANT HOUSER BAILEY (SEA)** 22 /s/Danielle McKenzie Danielle McKenzie, WSBA No. 49715 Joseph D. Hampton, WSBA No. 15297 925 Fourth Ave, Ste 3800 Seattle, WA 98104 25 Email: danielle.mckenzie@bullivant.com Email: joseph.hampton@bullivant.com 26 Telephone: (206) 292-8930 Attorneys for Defendants 27

STIPULATED MOTION AND ORDER OF DISMISSAL WITH PREJUDICE - 3

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